

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

ROMEO DISTASIO

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Criminal No. 04-10261-DPW

ASSENTED TO MOTION TO CONTINUE SENTENCING HEARING

_____ Now comes counsel for the defendant, Romeo DiStasio and hereby requests this Honorable Court to continue the Sentencing Hearing from to June 17, 2005 at 2:30 p.m. until the week of September 12, 2005 the following reasons:

1. On January 21, 2005 the defendant pled guilty to a two-count Superseding Information.
2. As a result of said plea, the defendant recognized that he will have a substantial restitution order pertaining to this particular matter.
3. As this Court is aware, the defendant has under agreement the sale of rights he holds in a long-term commercial lease at 17 Harden Street, Reading, MA. This location is where the defendant's business is located.
4. It is anticipated that the defendant's net proceeds from the above-mentioned sale will exceed the amount owed by the defendant in restitution.
5. It is the defendant's desire to pay the entire balance of his court ordered restitution from said net proceeds.
6. Recently, Attorney Patricia Yung Wong, counsel for the Buyer, Mark Investment, Inc. notified Mr. DiStasio in writing that it was exercising its option under the Purchase and Sale

Agreement to extend the closing date until August 31, 2005.

7. In addition, on Friday June 3, 2005, Mr. DiStasio's conditions of release were modified by Magistrate Judge Dein.

8. Magistrate Dein ordered Mr. DiStasio to be detained pending placement in an inpatient substance abuse treatment program.

9. This afternoon, I was informed by Pretrial Services Officer, Judith Oxford, that Mr. DiStasio was placed today in the Gosnold Treatment Center in Falmouth, MA.

10. It is expected that Mr. DiStasio will be in this program for an indeterminate length of time.

11. It is Mr. DiStasio's desire that this treatment program will enable him to begin his substance abuse recovery and get to the root of his criminal conduct.

12. Assistant U.S. Attorney, William Connolly, assents to this motion.

Wherefore the defendant for the reasons set forth above respectfully requests this Honorable Court to grant his request for a continuance.

Respectfully submitted,

ROMEO DISTASIO

By his attorney:

/s/Sean T. Delaney

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Assented to:

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